

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 8, 2009

D054687 In re K.M., a Juvenile

The order is affirmed. O'Rourke, J.; We Concur: McConnell, P.J., Irion, J.

D052483 Abasolo et al. v. Crystalview Technology Corp.

The judgment is affirmed in part and reversed in part, and the case is remanded. The judgment is affirmed to the extent that it awards the plaintiffs the following relief:

(1) unpaid overtime wages to plaintiff Fidel under section 511; (2) untimely final wage penalties plus pre-judgment interest under sections 201, 202, and 203; (3) section 2699 penalties for violations of sections 201 and/or 202 with respect to employees 2, 3, 5, 7, 11, 15, 28, 32, 33, 34, 37, 38, 40, 41, 42, 43, 44, 45, 46 and 47; and (4) court costs and attorney fees.

The judgment is reversed to the extent that it:

(1) denies the plaintiffs unpaid overtime wages pursuant to section 511; (2) denies relief under section 558; and (3) denies section 2699 penalties for violations of sections 201 and/or 202 with respect to employees 1, 12, 21, 23, 25, 26, 27, 29, 30 and 35.

The matter is remanded for a determination of the unpaid wages and penalties due to plaintiffs, in accordance with this opinion. To the extent that the opinion of this court may require a new calculation of any of the affirmed awards, the trial court is directed to make such recalculations as are necessary to ensure proper resolution of the plaintiffs' claims.

Pursuant to section 1194, the plaintiffs are entitled to recover attorney fees and costs on appeal, in an amount to be determined by the trial court.

Aaron, J.; We Concur: McConnell, P.J., O'Rourke, J.

D054715 In re Matthew B., a Juvenile

Judgment affirmed. O'Rourke, J.; We Concur: Haller, Acting P.J., Irion, J.

D053972 People v. Candice D.

The order is affirmed. McIntyre, J.; We Concur: Haller, Acting P.J., Aaron, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 8, 2009 (Continued)

D055654 Justin C. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency

The attorney for petitioner Justin C. has notified the court that a petition for writ of mandate under California Rules of Court, rules 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.

D054824 People v. Byron

Upon filing an abandonment of the appeal personally signed by the defendant, the appeal is dismissed and the remittitur is ordered to issue immediately. (Cal. Rules of Court, rule 8.316.)

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 9, 2009

- D052583 In re Israel L., a Juvenile**
Judgment affirmed. Benke, Acting P.J.; We Concur: Nares, J., McIntyre, J.
- D055406 April L. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**
The attorney for petitioner April L. has notified the court that a petition for writ of mandate under California Rules of Court, rules 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.
- D055574 D.W. v. Superior Court of San Diego County/San Diego County Health and Human Services Agency**
The attorney for petitioner D.W. has notified the court that a petition for writ of mandate under California Rules of Court, rules 8.452 and 5.600 will not be filed as there are no viable issues for writ review. The case is dismissed.
- D055751 Ciotti v. Superior Court of San Diego County/Kordestani**
The petition is denied.
- D055598 In re Newell on Habeas Corpus**
The petition is denied.
- D055606 Allen v. Superior Court of Imperial County/Reilly**
The petition is denied.
- D055676 San Diego County Health and Human Services Agency v. Superior Court of San Diego County/Venice B.**
The petition is denied.
- D055235 In re Robinson on Habeas Corpus**
The petition is denied.
- D055242 In re Robinson on Habeas Corpus**
The petition is denied.
- D054257 In re G.L., a Juvenile**
The judgment is affirmed. Irion, J.; We Concur: Benke, Acting P.J., Huffman, J.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 9, 2009(Continued)

D053050 In re the Marriage of Overton

D053821 In re the Marriage of Overton

(Consolidated case) The orders and judgment are affirmed. Dolansky is awarded costs on appeal. (Cal. Rules of Court, rule 8.278(a)(1).) McIntyre, J; We Concur: Haller, J., Aaron, J.

D054776 In re Andres N., a Juvenile

The orders are affirmed. Irion, J.; We Concur: McDonald, Acting P.J., Aaron, J.

D053552 Dyche v. City of San Diego et al.

Order modifying opinion and denying petitions for rehearing [no change in judgment].

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 10, 2009

- D054706 Sherbondy et al. v. Mountain Empire Unified School District**
Upon written stipulation filed by the parties to the appeals, the appeal and cross-appeal are dismissed and the remittitur is ordered to issue immediately, (Cal. Rules of Court, rule 8.244(c)(2).) Each party to bear own costs on appeal.
- D055824 Dumas v. Superior Court of San Diego County/Moelter**
The petition is denied.
- D053521 People v. Morreo**
The judgment is affirmed. Huffman, J.; We Concur: Benke, Acting P.J., Haller, J.
- D054395 People v. Leth**
The order extending the probationary term to November 16, 2014, is modified by extending that term to November 16, 2010, only. As so modified the order is affirmed. Benke, Acting P.J.; We Concur: McIntyre, J., Irion, J.
- D054015 Shoal v. The Lucidi Family Partnership**
The judgment is affirmed. O'Rourke, J.; We Concur: McConnell, P.J., Aaron, J.
- D055842 Ewing v. Superior Court of San Diego County/Attorney General et al.**
The petition for writ of mandate and request for stay have been read and considered by Justices Haller, McIntyre and Aaron. The petition is denied.
- D055609 In re Johnson, Jr. on Habeas Corpus**
The petition is denied.

COURT OF APPEAL OF THE STATE OF CALIFORNIA
FOURTH APPELLATE DISTRICT
DIVISION ONE
September 11, 2009

D054324 People v. Edwards

The judgments of conviction are affirmed. The cases are remanded for resentencing. The trial court is directed to (1) exercise its discretion in choosing a prison term for inflicting corporal injury on a cohabitant in the assault case (case number SCD204066) and (2) amend the abstracts of judgment to reflect a restitution fine and parole revocation fine of \$200 rather than \$500 in the assault case, that the restitution fines are stayed in both cases, and that probation revocation fine in the assault case is now due and payable.
Haller, J.; We Concur: Benke, Acting P.J., Huffman, J.

D054995 Tuszynska v. Hearn

The opinion filed on August 21, 2009, is ordered modified. No change in judgment. Petition for rehearing is denied.

D055830 People v. Del Rio

The denial of a petition for writ of habeas corpus is not appealable. The appeal filed on September 3, 2009, is dismissed.

D055601 In re Sherrod on Habeas Corpus

The petition is denied.

D054365 In re Peter C., a Juvenile

The orders are affirmed. O'Rourke, J.; We Concur: Benke, Acting P.J., Haller, J.

D055537 Ocean Golf Club, Inc. v. Gandy et al.

Pursuant to California Rules of Court, rule 8.140, the appeal filed July 20, 2009, is dismissed for appellant's failure to timely designate the record (Cal. Rules of Court, rule 8.121(a)).

D055819 In re Silva on Habeas Corpus

The petition is denied without prejudice to refile in San Diego County Superior Court, 220 West Broadway, San Diego, California 92101.

D055833 Dodson v. Superior Court of San Diego County/People

The petition is denied.

D054579 In re M.B. et al., Juveniles

The petition is denied as moot.